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PATENT 1743

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Haugland et al.

Serial No.: 09/557,275

Filing Date: 4/24/00

Date: December 6, 2000

For: AZA-BENZAZOLIUM CONTAINING CYANINE DYES

SADY  
#3  
1-2-01

Supplemental Information Disclosure Statement

Commissioner for Patents  
Washington, D.C. 20231

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS PAPER AND THE DOCUMENTS REFERRED AS BEING ATTACHED OR ENCLOSED HERewith ARE BEING DEPOSITED WITH THE UNITED STATES POSTAL OFFICE ON December 6, 2000, AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, WASHINGTON D.C. 20231

*Anton E. Skaugset*  
ANTON E. SKAUGSET, REG. NO. 38,617

Dear Sir:

In accordance with their duty of disclosure under 37 CFR §§ 1.97 and 1.56, Applicants hereby disclose the following references.

United Kingdom Patent No. GB 870,753 A (1961) to Ilford Limited  
Ficken et al., J AM CHEM SOC (1959) pp 3202-3212  
U.S. Patent No. 3,326,688 to Jenkins et al. (1967)  
International Publication No. WO 96 13552 (1966) to Molecular Probes, Inc.  
U.S. Patent No. 5,321,130 Yue et al. (1994)  
U.S. Patent No. 5,410,030 to Yue et al. (1994)

Applicants hereby state that each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement (copy of the search report enclosed).

Applicants note that International Publication No. WO 96 13552, U.S. Patent No. 5,321,130 and U.S. Patent No. 5,410,030 were described in the International Search Report as defining the general state of the art, and not considered to be of particular relevance.

Applicants note that with the exception of U.S. Patent No. 3,326,688, all of the above references were previously disclosed to the Examiner in the Information Disclosure Statement submitted July 26, 2000.



GB 870,753 A discloses compounds falling within the scope of instant claim 1 at examples 3, 11, 12, and 15. Ficken et al., (J AM CHEM SOC) discloses compounds falling within the scope of instant claim 1 in Table 4 (1<sup>st</sup> compound), Table 5 (2<sup>nd</sup> and 3<sup>rd</sup> compounds) and Table 6 (2<sup>nd</sup> and 3<sup>rd</sup> compounds). U.S. 3,326,688 discloses compounds falling within the scope of the instant claim 1.

Applicants have submitted a preliminary amendment removing the subject matter disclosed in the above references from the scope of instant claim 1.

In the event that there are any questions relating to this paper, or the application in general, it would be appreciated if the Examiner would telephone the undersigned agent concerning such questions so that the prosecution of the application may be expedited.

Respectfully submitted,

*Anton E. Skaugset*

Anton E. Skaugset  
Registration No. 38,617  
Patent Agent  
Molecular Probes, Inc.  
P.O. Box 22010  
Eugene, OR 97402-0469  
TEL: (541) 465-8349  
FAX: (541) 465-8354

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